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for Docket 1312

IN RE: : BEFORE THE LOWER PAXTON  
: TOWNSHIP ZONING HEARING BOARD  
APPLICATION OF : DAUPHIN COUNTY, PENNSYLVANIA  
:  
PINNACLE HEALTH : DOCKET NO. 1312

### **DECISION GRANTING VARIANCE**

The applicant seeks a variance from height regulations in connection with an addition to an existing hospital facility. A hearing on the application was held on May 24, 2012.

#### **Facts**

1. The applicant and owner of the property in question is Pinnacle Health of 205 S. Front Street, Harrisburg, Pennsylvania 17104. The applicant was represented at the hearing by Paul Toburen, Vice President, by Christine Hunter and Ed Black, landscape architects and Steve Dzurainin, Esquire.

2. The property in question is located on the north side of Londonderry Road and consists of a multi-acre parcel improved as a medical campus. Improvements to the site include a hospital, a medical office building, and an outpatient treatment center, along with associated parking. The parcel is zoned Institutional.

3. The applicant proposes to erect an addition to the existing hospital in the form of three new floors over the top of the existing hospital space. A different portion of the building will be demolished in connection with the project which will allow for additional parking spaces.

4. The applicant has elected to build up rather than out due to the limited space available on the site. In order to accommodate the additional HVAC requirements of hospital space a total height of 70 feet is proposed.

5. The proposed expansion is necessary to accommodate increased demand for medical care from the surrounding area. Further, the demands of the market place require an upgrade to provide additional private rooms.

6. The proposed addition will be constructed with sprinklers.

7. Notice of the hearing was posted and advertisement made as required by the ordinance.

8. No one other than the applicant and its representatives appeared to testify either in favor of or against the proposed variance.

### **Conclusions**

1. Section 307.B.2 of the ordinance limits the maximum height of buildings in the Institutional Zoning District to 60 feet. The proposed construction would violate this section of the ordinance.

2. Article 111.D.3 of the ordinance gives the Zoning Hearing Board the power to authorize, in specific cases, variances from the terms of the ordinance and its supplements as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary hardship. The ordinance further requires that the spirit of the ordinance shall be observed, public health, safety and general welfare shall be secured, substantial justice shall be done, and no appreciable diminution of the market value surrounding properties shall be caused by such variance.

3. The Board finds that the property is burdened by a hardship in that it is fully developed and additional land is not available to enable the hospital to serve the medical needs of the area.


4. Granting the variance will not alter the essential character of the neighborhood nor will it adversely impact surrounding property values. The additional height, while significant, is offset by the total size of the campus and by the generous setbacks from property lines. The building will not loom over surrounding properties nor will it dominate the streetscape. The public welfare will be advanced by ensuring that the medical needs of the community are met. The sprinkling of the building will ensure that its added height does not create a public safety hazard.

**Decision**

In view of the foregoing and having considered the plans and testimony submitted to the Board, it is the opinion of the Board that the variance requested should be and is hereby granted on the condition that the applicant obtain the review and approval of the proposed plan by the Township fire and police officials. In all other respects the project shall be in strict accord with the plans and testimony submitted to the Board.

Date: 6/28/12

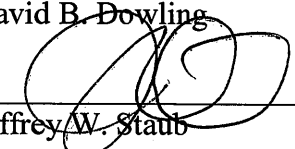
LOWER PAXTON TOWNSHIP  
ZONING HEARING BOARD

  
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